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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

* * *

DIRK KLINKE,

Plaintiff,

v.

JACK PALMER, et al.,

Defendant.

Case No. 3:13-cv-00356-MMD-VPC

ORDER

In this *pro se* prisoner civil rights action, plaintiff has not filed an amended complaint within the time period allowed.

The prior order entered on July 2, 2013, stated in pertinent part:

IT IS FURTHER ORDERED that Klinke and Pope shall have thirty (30) days from entry of a copy of this order in their severed individual action within which to file an amended complaint that complies with the requirements stated below.

IT IS FURTHER ORDERED that, in any amended complaint filed by Klinke and Pope respectively in his individual action, the plaintiff: (1) shall list that plaintiff in the caption of that action as the sole plaintiff in that action; (2) shall state, as to each constitutional violation alleged, the actual, personal, and individualized injury sustained by the individual plaintiff from specific incidents as a result of the alleged constitutional violation; (3) shall clearly title the amended complaint as an amended complaint by placing the word "AMENDED" immediately above "Civil Rights Complaint" on page 1 in the caption and shall place the docket number of his action, above the word "AMENDED" in the space for "Case No.;" and (4) shall sign the complaint himself. The Court informs all of the plaintiffs that under Local Rule LR 15-1 any amended complaint filed must be complete in itself without reference to prior filings. Thus, any allegations, parties, or requests for relief from prior papers that are not carried forward in an amended complaint no longer will be before the Court in that action. The Court will screen any claims by Klinke and Pope only after they file an individually signed amended complaint in their own individual actions.

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IT IS FURTHER ORDERED that in each such action, if the individual plaintiff fails to fully and timely comply with all requirements of this order, that plaintiff's action will be dismissed without further advance notice.


Dkt. no. 3, at 13-14.

Plaintiff Klinke has taken no action in response to the order.

It therefore is ordered that plaintiff's application (dkt. no. 1) to proceed *in forma pauperis* is denied without prejudice as moot and that this action shall be dismissed without prejudice for lack of an amended complaint signed and filed by plaintiff Klinke.

The Clerk of Court shall enter final judgment accordingly, dismissing this action without prejudice.

DATED THIS 1st day of October 2013.



MIRANDA M. DU
UNITED STATES DISTRICT JUDGE